

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re:)	In Chapter 13
)	Case No. 17 B 08211
ANTHONY BETTS,)	Honorable Carol A. Doyle
)	Motion Date: April 4, 2017
Debtor.)	Motion Time: 9:30 a.m.
)	

NOTICE OF MOTION

TO: See attached service list

PLEASE TAKE NOTICE THAT on April 4, 2017, at the hour of 9:30 a.m., a **MOTION TO EXTEND AUTOMATIC STAY**, shall be heard before the Honorable Judge Carol A. Doyle of the United States Bankruptcy Court for the Northern District of Illinois, Eastern Division, in Room 742 at 219 South Dearborn, Chicago, Illinois. A copy of same is attached hereto and thereby served upon you. You may appear if you so see fit.

GOLAN CHRISTIE TAGLIA LLP

AFFIDAVIT OF SERVICE

I, Robert R. Benjamin, an attorney, certify that I caused the foregoing Notice of Motion and Motion to Extend Automatic Stay to be served upon the parties who receive notice via CM/ECF filing and those parties who receive notice via regular mail with postage prepaid from 70 W. Madison, Chicago, IL 60602 on March 16, 2017.

/s/Robert R. Benjamin
Robert R. Benjamin

GOLAN CHRISTIE TAGLIA LLP
Attorneys for Debtor
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Chicago, Illinois 60602
312-263-2300

SERVICE LIST

Tom Vaughn
55 E. Monroe Street, Suite 3850
Chicago, IL 60603
Via CM/ECF

Anthony P Betts
2928 W. 97th Place
Evergreen Park, IL 60805
Via Regular Mail

U.S. Bank, N.A., successor trustee to LaSalle Bank
National Association, on behalf of the holders of
Bear Stearns Asset Backed Securities I Trust 2007-
HE6, Asset-Backed Certificates Series 2007-HE6
c/o Kluever & Platt LLC
65 E. Wacker Place
Suite 2300
Chicago, IL 60601
Via Email: rbrand@klueverplatt.com

Chicago Avenue Credit Union
4909 West Division Street
Suite 403
Chicago, IL 60651
Via Regular Mail

Department of Treasury
Internal Revenue Service
Kansas City, MO 64999
Via Regular Mail

Georgia Institute of Technology
225 N Avenue NW
Atlanta, GA 30332
Via Regular Mail

Great Lakes/US Department of Educat
PO Box 7860
Madison, WI 53707
Via Regular Mail

Illinois Department of Revenue
Springfield, IL 62719
Via Regular Mail

Monica Rhodes
c/o Jena M. Noel, Dillard & Noel
2024 Hickory Road, Suite 303
Homewood, IL 60430
Via Regular Mail

Monica Rhodes
9220 S Sawyer Ave
Evergreen Park, IL 60805
Via Regular Mail

Porania LLC
c/o Biltmore Asset Management
24500 Center Ridge Rd Ste 472
Westlake, OH 44145
Via Regular Mail

Santander Consumer USA
PO Box 105255
Atlanta, GA 30348
Via Regular Mail

SANTANDER CONSUMER USA, INC.
P.O. BOX 961245
FORT WORTH, TX 76161
Via Regular Mail

Select Portfolio Servicing
PO Box 65450
Salt Lake City, UT 84165
Via Regular Mail

US DEPT OF EDUCATION
CLAIMS FILING UNIT
PO BOX 8973
MADISON WI 53708-8973
Via Regular Mail

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MOTION TO EXTEND AUTOMATIC STAY

Debtor, ANTHONY BETTS, ("Debtor"), by and through his attorney, Robert R. Benjamin of Golan Christie Taglia LLP, moves this Court pursuant to §362(c)(3)(B) for an order continuing the automatic stay under §362(a) as to all creditors and in support thereof states as follows:

1. On March 16, 2017, Debtor filed a voluntary case under Chapter 13 of Title 11 of the United States Code ("Bankruptcy Code").
2. The Debtor had previously filed a Chapter 13 case which was voluntarily dismissed on December 1, 2016. This case was dismissed because the Debtor's mother became ill and had to attend to her needs and pay a portion of her medical expenses and therefore Debtor was unable to maintain to his mortgagee. Debtor, however, continued to pay the Chapter 13 Trustee.
3. In this current case, Debtor has had a positive change of circumstances as Debtor's mother's situation has stabilized and Debtor is able to make all Chapter 13 plan and mortgage payments going forward. See the attached Affidavit.

4. The petition in this case has been filed in good faith. The Debtor believes that the Chapter 13 plan he has submitted will be confirmed and that he will be able to fully perform under the terms of the plan.

5. The Debtor's prior Chapter 13 case, dismissed on December 1, 2016, was the only previous case by the Debtor that was pending during the preceding year.

6. Section 362(c)(3) provides for the termination of the automatic stay for actions taken with respect to the debtor thirty days after the petition is filed if the debtor has had a case dismissed within the preceding one-year period. The stay may be extended beyond the thirty-day period, pursuant to §362(c)(3)(B), if the debtor files a motion within the thirty-day period before the expiration of the stay and demonstrates that the new case has been filed in good faith.

7. Paragraphs 2 and 3 are intended to demonstrate that the case was filed in good faith based on changed circumstances, and to rebut the presumption arising under §362(c)(3)(C)(i) that the case was filed in bad faith because the prior case had been dismissed due to the debtor's failure to perform the terms of a confirmed plan.

WHEREFORE, Debtor, ANTHONY BETTS, prays that an order be entered:

A. That this Honorable Court extend the automatic stay as for the reasons set forth above;
and

B. Granting such other and further relief as this Court deems just and proper.

ANTHONY BETTS, Debtor,

By: Robert R. Benjamin

Robert R. Benjamin

One of his attorneys

Robert R. Benjamin (ARDC # 0170429)
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